

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:11CR3037
	)	
v.	)	
	)	MEMORANDUM AND ORDER
JOSE JAVIER HERNANDEZ-CERRATO,	)	
	)	
Defendant.	)	

The defendant has moved to continue the pretrial motion deadline. Filing No. 24. Defense counsel explains additional time is needed to review discovery before deciding if pretrial motions should be filed. Based on the showing set forth in the defendant's motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) The defendant's unopposed motion to continue, (filing no. 24), is granted.
- 2) The defendant's pretrial motions and briefs shall be filed on or before June 10, 2011.
- 3) The ends of justice served by granting defendant's motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting the motion, the time between May 20, 2011 and June 10, 2011, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).
- 4) Trial on this case is continued pending resolution of any pretrial motions filed.

May 21, 2011

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge